

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon
KML LAW GROUP, P.C.
216 Haddon Avenue, Ste. 406
Westmont, NJ 08108
Specialized Loan Servicing LLC, as servicer for
Deutsche Bank National Trust Company, as Trustee
for IndyMac INDX Mortgage Loan Trust 2004-AR10,
Mortgage Pass-Through Certificates, Series 2004-
AR10 Under the Pooling and Servicing Agreement
Dated September 1, 2004

In Re:
Avella, Francis D., aka Frank Avella



Order Filed on September 13, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 15-25736 VFP

Chapter: 13

Hearing Date: September 7, 2017

Judge: Vincent F. Papalia

ORDER VACATING STAY

The relief set forth on the following page is hereby ordered **ORDERED**.

DATED: September 13, 2017



Honorable Vincent F. Papalia
United States Bankruptcy Judge

Upon the motion of Specialized Loan Servicing LLC, as servicer for Deutsche Bank National Trust Company, as Trustee for IndyMac INDX Mortgage Loan Trust 2004-AR10, Mortgage Pass-Through Certificates, Series 2004-AR10 Under the Pooling and Servicing Agreement Dated September 1, 2004, under

Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant, to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

Land and premises commonly known as Lot 2929a, 293a, 294a, Block 138, 4306 Newkirk Ave, North Bergen NJ 07047

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 7/12/16